

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Irish et al.  
Serial No. 10/774,301  
Filed: February 6, 2004  
For: System And Method For Executing  
User-Definable Events Triggered Through  
Geolocational Data Describing Zones Of  
Influence

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# APPEAL BRIEF

20 Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

BRIEF ON BEHALF OF IRISH ET AL.:

Appellant appeals from the Final Office action mailed on October 29, 2008, in which currently pending Claims 1-5 stand finally rejected. Appellant filed a Notice of Appeal via EFS-Web on March 2, 2009.

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**1. REAL PARTY IN INTEREST**

The real party in interest is assignee Groundspeak, Inc., a Washington Corporation, located at 2127 5th Avenue, Seattle, Washington 98121-2741.

**2. RELATED APPEALS AND INTERFERENCES**

5 A Notice of Appeal was filed on March 2, 2009. There are no appeals or interferences known to Appellant, Appellant's legal counsel, or assignee, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**3. STATUS OF CLAIMS**

10 Finally-rejected Claims 1-5 are pending and are the subject of this appeal. Claims 6-26 were previously withdrawn on April 6, 2006. An Appendix setting forth the claims involved in the appeal is included as Section 9 of this Appeal Brief.

**4. STATUS OF AMENDMENTS**

15 Claims 1-5 were amended subsequent to the final rejection in a response to Office Action filed on December 29, 2009. However, the claim amendments were not entered for purposes of appeal in the Advisory Action of January 28, 2009.

**5. SUMMARY OF CLAIMED SUBJECT MATTER**

20 **A. Independent Claim 1**

Claim 1 defines a system for executing user navigational events triggered through geolocational data describing zones of influence (page 8, lines 3-5; page 10, lines 17-19; and page 14, line 30-page 15, line 3). A storage medium is configured to hold data in a cartridge script loadable into a wireless computing device (page 10, line 30-page 11, line 2; page 16, lines 9-12; and page 17, line 28-  
25 page 18, line 2). The data includes zone of influence data and user event data (page 10, line 30-page 11, line 2; page 16, lines 9-12; and page 17, line 28-page

18, line 2). The zone of influence data is configured to define one or more zones of influence into the cartridge script by describing a plurality of points of static geolocational data (page 10, line 30-page 11, line 1; page 13, lines 2-4; and page 17, lines 28-30). The user event data is configured to define one or more user  
5 navigational events into the cartridge script and to associate each user navigational event with at least one zone of influence (page 8, line 15-page 9, line 7 and page 10, line 30-page 11, line 2). The wireless computing device is configured to execute a scenario by triggering the user navigational events stored on the cartridge script through movement of the wireless computing device (page  
10 9, lines 20-24). The wireless computing device includes a locational module and a processing module (page 9, lines 18-24). The locational module is configured to continuously self-identify a location of the wireless computing device based on dynamic geolocational data determined in response to the movement (page 9, lines 18-20). The processing module is configured to determine a correlation  
15 between the dynamic geolocational data and the static geolocational data for one or more of the zones of influence and to locally trigger the user navigational event associated with the zone of influence based on the correlation (page 9, lines 20-24; page 15, lines 4-7; and page 21, lines 15-21).

## **6. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

### **20 A. Issue I**

Whether Claims 1-5 properly stand rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement.

### **B. Issue II**

Whether Claims 2 and 3 properly stand rejected under 35 U.S.C. § 112,  
25 first paragraph, for failing to comply with the written description requirement.

### **C. Issue III**

Whether Claims 1-5 properly stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,320,495 to Sprogis.

7. **ARGUMENT**

**A. U.S. Patent No. 6,320,495 (“Sprogis”)**

Sprogis discloses a treasure hunt type game that utilizes global positioning satellite (GPS) equipped wireless communication devices (Abstract). Players are  
5 given clues or directions to proceed along a treasure hunt route based upon their location as determined by a GPS receiver (Abstract; Col. 2, lines 3-20 and 67-Col. 3, lines 4-18; Col. 5, lines 11-29). A gamemaster computer program (gamemaster) is designed to run the treasure hunt from a central Website (Col. 3, lines 4-5, 19-26 and 51-55). The gamemaster inputs a general map of the treasure hunt  
10 territory, which is divided into a plurality of smaller segments, each assigned a unique number (Col. 4, lines 15-19). The players’ GPS receivers receive locational data, which is transmitted back to the gamemaster by the wireless communications device (Col. 3, lines 5-8). The gamemaster then determines the next clue to be given to a player based upon the player’s location in relation to a  
15 particular segment, as well as other variables, such as the number of clues the player has correctly answered and the position of other players (Col. 2, lines 12-16; Col. 3, lines 9-15; and Col. 5, lines 8-25).

**B. Issue I**

A reasonable basis to question the enablement provided for the claimed  
20 invention has not been shown.

**1. Legal Basis**

“The test of enablement is whether one reasonably skilled in the art could make or use the invention without undue experimentation.” MPEP 2164.01 (citing *U.S. v. Telectronics, Inc.*, 857 F.2d 778, 785 (Fed. Cir. 1988)). However,  
25 to properly make the rejection, the examiner has the initial burden to establish a reasonable basis to question the enablement provided for the claimed invention. MPEP 2164.04. “A specification disclosure, which contains a teaching of the manner and process of making and using an invention in terms which correspond in scope to those used in describing and defining the subject matter sought to be

patented must be taken as being in compliance with the enablement requirement of 35 U.S.C. § 112, first paragraph, unless there is a reason to doubt the objective truth of the statements contained therein which must be relied on for enabling support.” *Id.* Minimally, reasons for the uncertainty of the enablement are  
5 required to be provided, such as an explanation for doubting the truth or accuracy of any statement in a supporting disclosure (emphasis added). *Id.*

## 2. Claims 1-5

The Final Office Action of October 29, 2008 (“Office Action”) fails to provide reasons and evidence to support doubt of the objective truth of the  
10 statements made in the disclosure. Instead, the Office Action asserts that in Claim 1, Applicant fails to provide meanings for the phrases “zone of influence,” “event data,” and “user navigational event.” Office Action, page 2, paragraphs 3-5 and page 3, paragraph 6. The Office Action further states that each of the phrases were “copied from the specification and pasted in the claims without any  
15 description to enable one skilled in the art to make and use the invention.” *Id.* Applicant respectfully disagrees.

A reasonable basis to question enablement is required. However, the objective truth of the statements contained in the specification has not been called into doubt. Identifying phrases and stating that the phrases were copied without  
20 any description is not acceptable evidence or reasoning. Accordingly, a rejection for enablement is inappropriate.

Notwithstanding, Applicant has previously addressed the apparent concerns regarding the aforementioned phrases in the Office Action Responses of July 7, 2008 and December 29, 2008. Additionally, Applicant provides support  
25 for each phrase, which is both defined and enabled in the specification, below. During examination, words of the claim must be given their broadest reasonable interpretation, including their plain meaning, unless the plain meaning is inconsistent with the specification. MPEP 2111.01. Applicant asserts that the plain meaning of the phrases are consistent with the definitions provided in the  
30 specification and are objectively truthful. MPEP 2164.04.

The phrase “zone of influence” includes the term “zone,” which means an

area or region distinguished from adjacent parts by a distinctive feature or characteristic. American Heritage Dictionary 939 (3d ed. 1994). Further, the term “influence” means a power indirectly or intangibly affecting a person or a course of events. American Heritage Dictionary 430 (3d ed. 1994). Together the  
5 terms “zone” and “influence” refer to a distinguished area in which a course of events is affected. This definition is supported by the specification on page 10, line 30-page 11, line 1; page 13, lines 2-4; page 13, lines 11-13; page 13, lines 20-22; page 13, lines 27-29; page 14, lines 5-6; page 14, lines 10-13; and page 14, line 30-page 15, line 3. Examples of zones of influence are provided in  
10 FIGURES 2A, 2B, 3A, 3B, 4, 5A, 5B, 6, and 7.

The phrase “user event data” includes the term “event,” which means an occurrence or incident. American Heritage Dictionary 293 (3d ed. 1994). In the application, the term “user” is combined with the term “event” to indicate a specific type of event. Further, the phrase “user event” modifies the term “data”  
15 to describe a particular type of data. Additionally, the Office Action questions what event is referred to by the phrase. Claim 1 recites user event data configured to define one or more user navigational events.

The phrase “user navigational event” includes the term “event,” which is modified by the terms “user” and “navigational” to identify a particular type of  
20 event. The root word “navigate” means to make one’s way (through). American Heritage Dictionary 556 (3d ed. 1994). Thus, the phrase relates to an event in which a user makes his way through. Support for the phrase can be found in the specification on page 11, lines 5-7; page 15, line 4-page 16, line 6; page 16, line 7-page 17, line 9; and page 17, lines 28-30.

25 The Office Action also indicates that in Claim 2, the terms “timed event data” and “duration,” and the phrase “to locally trigger each user navigational event associated with the timed event” are not enabled. Office Action, page 3, point 2, paragraphs 2, 3, and 6. The phrase “timed event data” includes the term “event,” which means an occurrence or incident. American Heritage Dictionary  
30 293 (3d ed. 1994). The root word “time” means a duration or a number, such as years, days, and minutes, that represent an interval separating two points on a

continuum. American Heritage Dictionary 843 (3d ed. 1994). Together, the terms mean data regarding the duration of an occurrence. Support for the data can be located in the specification on page 8, lines 15-30; page 14, lines 15-17; and page 15, lines 7-8.

5           The term “duration” means a continuance in time or a period of existence or persistence. American Heritage Dictionary 264 (3d ed. 1994). Support for the term “duration” can be found in the specification on page 4, lines 5-7; page 8, lines 15-30; and page 22, lines 16-18. Further, support for the phrase “to locally trigger each user navigational event associated with the timed event” can be found  
10 in the specification on page 4, lines 6-7; page 8, lines 17-30; page 15, lines 4-8; page 16, lines 1-3; and page 22, lines 16-18.

          In Claim 3, the phrases “independent trigger condition” and “to locally trigger each user navigational event associated with the independent trigger conditions based on the trigger condition satisfaction” have been identified as not  
15 enabled. Office Action, page 3, paragraphs 4 and 5. In the phrase “independent trigger condition,” the term “trigger” means an event that precipitates other events. American Heritage Dictionary 859 (3d. ed. 1994). The term “condition” means a prerequisite. American Heritage Dictionary 182 (3d ed. 1994). Thus, a combination of the terms describes a prerequisite for precipitating an event. The  
20 term “independent” modifies the phrase “trigger condition” to describe a type of trigger condition that is free from the influence, guidance, or control of others. American Heritage Dictionary 425 (3d ed. 1994). The phrase “independent trigger condition” is consistently defined, and not merely used, in the specification on page 9, lines 1-5.

25           Also, in Claim 3, the phrase “to locally trigger each user navigational event associated with the independent trigger conditions based on the trigger condition satisfaction” finds support in the specification on page 9, lines 1-7; page 11, lines 2-3; page 15, lines 4-11; and page 25, lines 10-16.

          Further, the Office Action indicates that the phrases “user event data,”  
30 “user navigational event,” and “timed event data,” as used in Claims 1-5, are not enabled. Office Action, page 3, paragraph 6. Applicant disagrees. The phrase



“user event data” is discussed above with respect to Claim 1. The phrase “user navigational event” is discussed above with respect to Claim 1. The phrase “timed event data” is discussed above with respect to Claim 2.

Accordingly, a reasonable basis to question the enablement provided for the claimed invention has not been shown. Claims 1-3 are enabled. Claims 4 and 5 are dependent on Claim 1 and are patentable for the above-stated reasons, and as further distinguished by the limitations therein. As the specification provides a teaching sufficient so as to enable one skilled in the art to which the invention pertains, or with which the invention is most nearly connected to make or use the invention, withdrawal of the rejection is requested.

## C. Issue II

Claims 2 and 3 comply with the written description requirement.

### 1. Legal Basis

The test for the written description requirement requires that the specification describe the claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention. MPEP 2163(I). The Examiner carries the burden of presenting evidence or reasons why one skilled in the art would not recognize that the written description provides support for the claims. MPEP 2163(II). Specifically, the Examiner must set forth express finding of fact that should identify the claim limitations and establish a *prima facie* case by providing reasons why a person skilled in the art would not have recognized that the inventor was in possession of the application as filed. MPEP 2163.04(I). When a claim is amended or newly added, a general statement by the Examiner that the claims are not supported by the written description may be sufficient when support for the limitation is not apparent and applicant has not pointed out where the limitation is supported (emphasis added). *Id.*

### 2. Claims 2 and 3

In the Office Action Response (“Response”) of July 7, 2008, Claim 2 was

amended and now currently recites locally trigger each user navigational event associated with the timed event. Applicant specifically provided support for the amendment in the original specification on page 4, lines 6-7; page 8, lines 17-30; page 15, lines 4-8; page 16, lines 1-3; and page 22, lines 16-18. Response, page 11, lines 19-21. Further support for Claim 2 can be located in the specification on page 11, lines 2-3.

Claim 3 was also amended in the Response and now recites an evaluation module configured to determine trigger condition satisfaction of one or more of the independent trigger conditions. Support was specifically provided for the amendments on page 9, lines 20-24; page 11, lines 2-3; page 15, lines 4-11; and on page 25, lines 10-16 of the original specification. Response, page 11, lines 24-26.

Therefore, Applicant has provided specific support for the amendments to Claims 2 and 3, per MPEP 2163.014(I). In light of the provided support, no evidence or reasons have been provided as to why a person skilled in the art would not have recognized that the inventor was in possession of the invention as claimed. Accordingly, a *prima facie* case for lack of written description has not been shown as Claims 2 and 3 are supported by the original specification.

#### **D. Issue III**

Sprogis fails to anticipate Claims 1-5 under 35 U.S.C. § 102(b) and the rejection of the claims cannot stand.

##### **1. Legal Basis**

A claim is anticipated under 35 U.S.C. § 102(e) only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. MPEP 1231.

##### **2. Claims 1-5**

Claim 1 recites a storage medium configured to hold data in a cartridge script loadable into a wireless computing device.

Sprogis fails to teach or suggest holding data in a cartridge script that is

loadable into a wireless computing device. Instead, Sprogis teaches maintaining a gamemaster, which is a centralized computer that transmits data to and receives data from one or more wireless communication devices each managed by a separate player (Col. 3, lines 32-34). The wireless communication device transmits a player's location to the gamemaster via the Internet (Col. 3, lines 34-36 and Col. 3, line 66-Col. 4, line 1). Once received, the gamemaster determines a clue based on the location of the player, as well as other factors (Col. 3, lines 9-13). The clue is then transmitted to the wireless communication device for display to the player (Col. 3, lines 61-63; and Col. 4, lines 9-13). Thus, the gamemaster functions independently from the wireless communication devices, which each collect and transmit the player location to the gamemaster for processing. The gamemaster is centralized for receiving data from and transmitting data to the multiple devices. In contrast, a cartridge, per Claim 1, is loaded onto a user device and together, the cartridge and user device function as a single, unified component. Therefore, Sprogis teaches a central gamemaster for communicating with multiple wireless communication devices, rather than a cartridge script that is loadable onto a wireless computing device.

Claim 1 further recites user event data configured to define one or more user navigational events into the cartridge script and to associate each user navigational event with at least one zone of influence.

Sprogis fails to teach defining one or more user navigation events into a cartridge script. Rather, Sprogis teaches determining a clue when a player enters a new grid on a treasure hunt territory map (Col. 5, lines 11-12). The clue is determined by a gamemaster based on the location of the player, a number of clues the player has answered correctly, and a location of other players (Col. 3, lines 9-13). Once determined, the clue is transmitted to a wireless communication device for providing to the player (Col. 3, lines 13-15). Since the current locations of the player and other players are considered, the clue is determined *dynamically* by the gamemaster based on those locations. Therefore, Sprogis teaches *dynamically* determining clues by a gamemaster, rather than defining one or more location events into a cartridge script that is loadable into a wireless

computing device.

Finally, Claim 1 recites the wireless computing device comprising . . . a processing module configured to determine a correlation between the dynamic geolocational data and the static geolocational data for one or more of the zones of influence and to locally trigger the user navigational event associated with the zone of influence based on the correlation.

Sprogis fails to teach or suggest a wireless computing device for determining a correlation between dynamic geolocational data and static geolocational data for one or more zones of influence and for locally triggering a user navigational event associated with the zone of influence based on the correlation. Instead, Sprogis teaches identifying by a wireless communication device, a location of a player, which is transmitted to a centralized gamemaster computer for processing (Col. 3, lines 5-9). A central map of a treasure hunt territory is divided into grids and input into the gamemaster to track player locations on the map using the player location determined by the wireless communication device (Col. 4, lines 15-27). When a player enters a new grid, the gamemaster uses the player location with previous locations of the player and current locations of other players to generate a clue, which is transmitted to the wireless communication device (Col. 3, lines 9-15 and Col. 5, lines 11-12). Since the central map is maintained on the gamemaster, the wireless communication device merely obtains the player location for transmitting to the gamemaster, where the player's location on the central map is identified. Without a map, the wireless communication device is unable to identify the player's specific location with regards to the treasure hunt. Therefore, Sprogis teaches identifying by a centralized gamemaster, a player's location on a central treasure hunt territory map, rather than determining by a wireless computing device, a correlation between dynamic geolocational data and static geolocational data for one or more zones of influence.

Further, Sprogis fails to teach or suggest a wireless computing device for triggering a user navigational event associated with the zone of influence based on the correlation. Instead, Sprogis teaches determining a location of a player by a

wireless communication device and transmitting the player location to a centralized gamemaster (Col. 3, lines 5-9). The gamemaster uses the player location from the wireless communication device to identify a location of the player on a central treasure hunt map, which is segmented into grids (Col. 4, lines 5 15-24). When the player enters a new grid on the map, the gamemaster determines a clue for transmitting to the wireless communication device. Thus, the wireless communication device merely receives the clue, which is determined by the gamemaster for providing to the player. Therefore, Sprogis teaches determining a clue on a gamemaster when a player enters a new grid, rather than triggering a user navigational event by a wireless computing device.


Accordingly, Sprogis fails to teach each and every limitation of Claim 1 and does not anticipate. Claims 2-5 are dependent on Claim 1 and are patentable for the above-stated reasons, and as further distinguished by the limitations therein. Withdrawal of the rejection is requested.

15    **8.    CONCLUSION**

In view of the foregoing arguments, Applicant respectfully submits that the rejections under 35 U.S.C. § 112, first paragraph and 35 U.S.C. § 102(b) cannot be sustained and should be withdrawn. Reconsideration of the pending claims and a Notice of Allowance are respectfully solicited.

20        Please contact the undersigned at (206) 381-3900 regarding any questions or concerns associated with the present matter.

25    Dated: May 4, 2009

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35    Appeal Brief

**9. CLAIMS APPENDIX**

1           1.       (previously presented) A system for executing user navigational  
2 events triggered through geolocational data describing zones of influence, the  
3 system comprising:

4               a storage medium configured to hold data in a cartridge script loadable  
5 into a wireless computing device, wherein the data comprises:

6                   zone of influence data configured to define one or more zones of  
7 influence into the cartridge script by describing a plurality of points of static  
8 geolocational data; and

9                   user event data configured to define one or more user navigational  
10 events into the cartridge script and to associate each user navigational event with  
11 at least one zone of influence; and

12               the wireless computing device configured to execute a scenario by  
13 triggering the user navigational events stored on the cartridge script through  
14 movement of the wireless computing device, the wireless computing device  
15 comprising:

16                   a locational module configured to continuously self-identify a  
17 location of the wireless computing device based on dynamic geolocational data  
18 determined in response to the movement; and

19                   a processing module configured to determine a correlation between  
20 the dynamic geolocational data and the static geolocational data for one or more  
21 of the zones of influence, and to locally trigger the user navigational event  
22 associated with the zone of influence based on the correlation.

1           2.       (previously presented) A system according to Claim 1, system  
2 further comprising:

3               further data in the cartridge script loaded in the wireless computing device  
4 comprising timed event data configured to specify one or more timed events  
5 comprising a start time and a duration and to associate each timed event with at  
6 least one user navigational event; and

7               the wireless computing device further comprising:

8                   a timer module configured to measure an elapsed time beginning  
9 with the start time of each timed event;  
10                   an evaluation module configured to determine when the elapsed  
11 time substantially equals the duration of one or more of the timed events, and to  
12 locally trigger each user navigational event associated with the timed event.

1           3.       (previously presented) A system according to Claim 1, the system  
2 further comprising:  
3           further data in the cartridge script loaded in the wireless computing device  
4 comprising one or more independent trigger conditions, wherein each independent  
5 trigger condition is configured to be associated with at least one user navigational  
6 event; and  
7           the wireless computing device further comprising:  
8                   an evaluation module configured to determine trigger condition  
9 satisfaction of one or more of the independent trigger conditions, and to locally  
10 trigger each user navigational event associated with the independent trigger  
11 conditions based on the trigger condition satisfaction.

1           4.       (previously presented) A system according to Claim 1, wherein the  
2 zone of influence data is configured to define each zone of influence as discrete,  
3 adjoining, overlapping, and nested relative to at least one other zone of influence  
4 in the zone of influence data.

1           5.       (previously presented) A system according to Claim 1, wherein the  
2 zone of influence data is configured to define at least one zone of influence in the  
3 zone of influence data as inheriting at least one user navigational event from one  
4 or more other of the zones of influence in the zone of influence data.

1           6.       (withdrawn) A method for executing user navigational events  
2 triggered through geolocational data, comprising:  
3           storing data, comprising:  
4                   defining one or more zones of influence and wherein each zone of  
5 influence is described by a plurality of stored geolocational data;

6                   defining one or more user events; and  
7                   associating one or more of the user events with each zone of  
8 influence, wherein each user event specifies a trigger condition based on the  
9 stored geolocational data for the associated zone of influence; and  
10                  executing the cartridge, comprising:  
11                   self-identifying a location of the user device based on further  
12 geolocational data; and  
13                   locally triggering at least one user event on the cartridge when the  
14 further geolocational data substantially correlates to the stored geolocational data  
15 for the zone of influence associated with the trigger condition of the at least one  
16 user event.

1           7.       (withdrawn) A method according to Claim 6, further comprising:  
2           specifying one or more timed events by a start time and a duration; and  
3           associating the one or more timed events with one or more of the user  
4 events; and  
5           measuring an elapsed time from the start time of each timed event; and  
6           triggering at least one user event when the elapsed time substantially  
7 equals the duration of one such timed event.

1           8.       (withdrawn) A method according to Claim 6, further comprising:  
2           specifying one or more independent trigger conditions;  
3           associating one or more of the user events with each independent trigger  
4 condition; and  
5           triggering at least one user event upon satisfaction of at least one  
6 independent trigger condition.

1           9.       (withdrawn) A method according to Claim 6, further comprising:  
2           defining each zone of influence as discrete, adjoining, overlapping, and  
3 nested relative to at least one other zone of influence.

1           10.      (withdrawn) A method according to Claim 6, further comprising:



2 defining at least one zone of influence as inheriting at least one user events  
3 from one or more other of the zones of influence.

1 11. (withdrawn) A computer-readable storage medium holding code  
2 for performing the method according to Claim 6.

1 12. (withdrawn) A system for building a user-customized cartridge for  
2 use with a wireless computing device, comprising:

3 a toolkit to build a template of a cartridge based on user instructions,  
4 comprising:

5 a zone interface to define one or more zones of influence that are  
6 each described by a plurality of stored data;

7 an event interface to define a series of events triggered by at least  
8 one of temporal, locational and independent trigger conditions and associating  
9 each event with one such zone of influence; and

10 a compiler to compile the cartridge template into a cartridge script  
11 configured to be downloaded and autonomously executed on a wireless  
12 computing device.

1 13. (withdrawn) A system according to Claim 12, further comprising:  
2 a server to download the cartridge script onto a wireless computing device.

1 14. (withdrawn) A system according to Claim 12, wherein at least one  
2 zone of influence can be defined to inherit at least one event from one or more  
3 other zone of influence.

1 15. (withdrawn) A system according to Claim 12, wherein one or more  
2 of the zones of influence specify at least one of a starting location and an ending  
3 location.

1 16. (withdrawn) A system according to Claim 12, wherein the trigger  
2 conditions are selected from the group comprising movement, direction, speed,  
3 acceleration, tactile effects, sound effects, and visual effects.

1           17.     (withdrawn) A system according to Claim 12, wherein the  
2 cartridge script is configured to be executed on a plurality of collaborating  
3 wireless gaming devices.

1           18.     (withdrawn) A system according to Claim 12, wherein the  
2 cartridge script is configured to manipulate an item between a plurality of  
3 collaborating wireless gaming devices.

1           19.     (withdrawn) A method for building a user-customized cartridge for  
2 use with a wireless computing device, comprising:  
3           building a template of a cartridge based on user instructions, comprising:  
4                 defining one or more zones of influence that are each described by  
5 a plurality of stored geolocational data;  
6                 defining a series of events triggered by at least one of temporal,  
7 locational and independent trigger conditions and associating each event with one  
8 such zone of influence; and  
9           compiling the cartridge template into a cartridge script configured to be  
10 downloaded and autonomously executed on a wireless computing device.

1           20.     (withdrawn) A method according to Claim 19, further comprising:  
2 downloading the cartridge script onto a wireless computing device.

1           21.     (withdrawn) A method according to Claim 19, further comprising:  
2 defining at least one zone of influence to inherit at least one event from  
3 one or more other zone of influence.

1           22.     (withdrawn) A method according to Claim 19, wherein one or  
2 more of the zones of influence specify at least one of a starting location and an  
3 ending location.

1           23.     (withdrawn) A method according to Claim 19, wherein the trigger  
2 conditions are selected from the group comprising movement, direction, speed,  
3 acceleration, tactile effects, sound effects, and visual effects.

1           24.   (withdrawn) A method according to Claim 19, wherein the  
2 cartridge script is configured to be executed on a plurality of collaborating  
3 wireless gaming devices.

1           25.   (withdrawn) A method according to Claim 19, wherein the  
2 cartridge script is configured to manipulate an item between a plurality of  
3 collaborating wireless gaming devices.

1           26.   (withdrawn) A computer-readable storage medium holding code  
2 for performing the method according to Claim 19.

**10. EVIDENCE APPENDIX**

None.

**11. RELATED PROCEEDINGS APPENDIX**

None.